

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE**

AMETHYST NICOLE WHITE,)
Plaintiff,) Case No. 3:17-cv-464
v.) Judge Travis R. McDonough
COMMISSIONER OF SOCIAL)
SECURITY,) Magistrate Judge Debra C. Poplin
Defendant.)

ORDER

On August 7, 2019, United States Magistrate Judge Debra C. Poplin filed her Report and Recommendation (Doc. 22) pursuant to 28 U.S.C. § 636(b)(1) and Federal Rule of Civil Procedure 72(b). Magistrate Judge Poplin recommended that the Court dismiss Plaintiff's complaint without prejudice for failure to prosecute pursuant to Federal Rule of Civil Procedure 41(b). (Doc. 22, at 5.)

Neither party has filed objections to Magistrate Judge Poplin's Report and Recommendation.¹ Nevertheless, the Court has reviewed the Report and Recommendation, as well as the record, and it agrees with Magistrate Judge Poplin's

¹ Magistrate Judge Poplin specifically advised the parties that they had fourteen days in which to object to the Report and Recommendation and that failure to do so would waive his right to appeal. (Doc. 22, at 5 n.4); *see* Fed. R. Civ. P. 72(b)(2); *see also Thomas v. Arn*, 474 U.S. 140, 148-51 (1985) (noting that “[i]t does not appear that Congress intended to require district court review of a magistrate’s factual or legal conclusions, under a *de novo* or any other standard, when neither party objects to those findings”). Even taking into account the three additional days for service provided by Fed. R. Civ. P. 6(d), the period in which Plaintiff could timely file any objections has now expired.

well-reasoned conclusions. Accordingly, the Court **ACCEPTS** and **ADOPTS** Magistrate Judge Poplin's Report and Recommendation and hereby **DISMISSES** this action **WITHOUT PREJUDICE** pursuant to Federal Rule of Civil Procedure 41(b).

AN APPROPRIATE JUDGMENT WILL ENTER.

/s/ Travis R. McDonough

TRAVIS R. MCDONOUGH
UNITED STATES DISTRICT JUDGE